

David G. Hille (*pro hac vice*)
dhille@whitecase.com
Kevin C. Adam (*pro hac vice*)
kevin.adam@whitecase.com
WHITE & CASE LLP
1221 Avenue of the Americas
New York, NY 10020-1095
Telephone: (212) 819-8357
Facsimile: (212) 354-8113

Russell J. Gould (SBN 313352)
russell.gould@whitecase.com
WHITE & CASE LLP
555 S. Flower Street, Suite 2700
Los Angeles, CA 90071-2433
Telephone: (213) 620-7700
Facsimile: (213) 452-2329

Attorneys for Defendants

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L., et al.,

Defendants.

Case No. 2:24-cv-04786-WLH-ADS

Hon. Wesley L. Hsu

**DECLARATION OF DAVID G.
HILLE IN SUPPORT OF
DEFENDANTS COLBECK
CAPITAL MANAGEMENT, LLC;
CB MEDIA VENTURES DD, LLC;
CB AGENCY SERVICES, LLC; AND
CB PARTICIPATIONS SPV, LLC'S
OMNIBUS MOTION TO DISMISS**

DECLARATION OF DAVID G. HILLE

I, David G. Hille, declare as follows:

1. I am a partner of White & Case LLP, attorneys for Colbeck Capital Management, LLC; CB Media Ventures DD, LLC; CB Agency Services, LLC; and CB Participations SPV, LLC (collectively, “CB Defendants”) in connection with the following fourteen actions before the Court (“Actions”):

- a. *K.A. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04786-WLH-ADS (C.D. Cal. June 7, 2024);
- b. *N.L. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04788-WLH-ADS (C.D. Cal. June 7, 2024);
- c. *L.T. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04791-WLH-ADS (C.D. Cal. June 7, 2024);
- d. *T.C. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04795-WLH-ADS (C.D. Cal. June 7, 2024);
- e. *X.N. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04800-WLH-ADS (C.D. Cal. June 7, 2024);
- f. *N.Y. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04801-WLH-ADS (C.D. Cal. June 7, 2024);
- g. *J.C. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04971-WLH-ADS (C.D. Cal. June 12, 2024);
- h. *W.L. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04977-WLH-ADS (C.D. Cal. June 13, 2024);
- i. *C.S. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04992-WLH-ADS (C.D. Cal. June 13, 2024);
- j. *S.O. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-04998-WLH-ADS (C.D. Cal. June 13, 2024);
- k. *L.S. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-05026-WLH-ADS (C.D. Cal. June 14, 2024);

1. *W.P. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-05185-WLH-ADS (C.D. Cal. June 20, 2024);
- m. *A.K. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-05190-WLH-ADS (C.D. Cal. June 20, 2024); and
- n. *J.L. v. MindGeek S.à.r.l., et al.*, No. 2:24-cv-07046-WLH-ADS (C.D. Cal. June 20, 2024).

2. I have been granted permission by this Court to appear *pro hac vice* as counsel for the CB Defendants in the Actions. I have personal knowledge of the facts stated herein and could testify competently thereto if called to do so.

3. I submit this Declaration in support of the CB Defendants' Omnibus Motion to Dismiss Plaintiffs' Complaints ("Omnibus Motion to Dismiss").

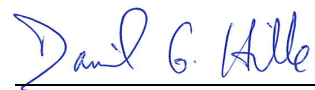
4. Attached as **Exhibit A** is a copy of a Loan Agreement dated April 28, 2011, between various parties, including the CB Defendants and other third-party lenders who participated in loaning money to the MindGeek Borrowers¹ in 2011.

5. Attached as **Exhibit B** is a copy of a Loan Agreement dated October 18, 2013, between various parties, including the CB Defendants and other third-party lenders who participated in loaning money to the MindGeek Borrowers in 2013.

6. Pursuant to Local Civil Rule 7-3, counsel for the CB Defendants and counsel for Plaintiffs met and conferred by video conference on October 14, 2024, regarding the CB Defendants' Omnibus Motion to Dismiss. The parties were unable to reach a resolution that eliminated the necessity for the Omnibus Motion to Dismiss.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 30th day of October 2024, at New York, New York.

By:


David G. Hille

¹ "MindGeek Borrowers" has the same meaning as defined in the Omnibus Motion to Dismiss.